

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
CHUN JIE YIN,

Plaintiff,

-against-

AN J. KIM,

Defendant.
-----X

ORDER ADOPTING REPORT
AND RECOMMENDATION
07 CV 1236 (DLI) (JO)

DORA L. IRIZARRY, United States District Judge:

It appears that no objections have been filed to the Report and Recommendation of the Honorable James Orenstein, U.S.M.J., dated March 7, 2008;¹ and

Upon due consideration, the Report and Recommendation is hereby adopted in full. Accordingly, it is hereby

ORDERED that default judgment be entered against An J. Kim in the amount of \$3,027.25, comprised of \$1,600.00 in unpaid regular wages, \$330.54 in unpaid overtime premiums, \$18.00 in "spread of hours" damages, \$487.14 in liquidated damages (under state law only), and \$591.57 in prejudgment interest. No attorneys' fees or other litigation costs shall be awarded. It is further hereby

ORDERED that service of a copy of this Order on An J. Kim shall be made by the plaintiff within five (5) days of the date of this Order, and proof thereof shall be filed with the court via ECF immediately thereafter.

DATED: Brooklyn, New York
March 31, 2008

/s/
DORA L. IRIZARRY
United States District Judge

¹On March 28, 2007, the plaintiff served a copy of the Report and Recommendation on the defendant by United States Postal Service certified mail, return receipt requested, on March 7, 2008. *See* Loncarevic Affidavit of Service. On March 27, 2008 the mailing was returned to the plaintiff from the Postal Service, with markings indicating that the mailing could not be delivered. *See* Letter from Pl.'s Counsel, Mar. 28, 2007.